

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 16-025V
(Not to be published)

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MARK CHIASSON,

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Petitioner,

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Filed: December 21, 2016

v.

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Decision on Attorneys'
Fees and Costs

SECRETARY OF HEALTH AND
HUMAN SERVICES

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Respondent.

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DECISION (ATTORNEYS' FEES AND COSTS)

HASTINGS, *Special Master*

In this case under the National Vaccine Injury Compensation Program,¹ I issued an Order Concluding Proceedings on October 14, 2016. On November 30, 2016, Petitioner filed an application for attorneys' fees and costs in this matter. Petitioner requests a total of \$9,541.33, representing \$7,746.00 for attorneys' fees, and \$1,795.33 for attorneys' costs. In accordance with General Order #9, Petitioner's application indicates that Petitioner incurred no reimbursable costs in pursuit of his claim. On December 19, 2016, Respondent filed a statement indicating that Respondent does not object to the overall amount requested.

I find that this Petition was filed and pursued in good faith and with a reasonable basis. Thus, an award for fees and costs is appropriate at this time, pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1). Further, the proposed amounts seem reasonable and appropriate. Accordingly, I hereby award the following attorneys' fees and costs pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1):

¹ The applicable statutory provisions defining the program are found at 42 U.S.C. § 300aa-10 *et seq.* (2012).

- a lump sum of \$9,541.33, in the form of a check payable jointly to Petitioner and Petitioner's counsel, David J. Schexnaydre, on account of services performed by counsel's law firm.

In the absence of a timely-filed motion for review filed pursuant to Appendix B of the Rules of the U.S. Court of Federal Claims, the clerk of the court shall enter judgment in accordance herewith.²

IT IS SO ORDERED

/s/ George L. Hastings, Jr.
George L. Hastings, Jr.
Special Master

² Pursuant to Vaccine Rule 11(a), the parties may expedite entry of judgment by filing a joint notice renouncing the right to seek review.